

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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In Re:  
Carline Simeon

Case No.: 19-12922

Judge: SLM

Chapter: 13

### CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_ ,  
creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Certification of Default filed by Freedom Mortgage,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not  
been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

A consent order was entered on 10/6/2020 to incorporate the post-petition mortgage arrears through Sept. 2020 into the plan. A modified plan was filed to add in the post-petition mortgage arrears and the plan was confirmed on 1/27/21. The certification incorrectly applies payments made after the order was entered to months already accounted for in the modified confirmation order therefore the debtor is unable to fulfill the certification to resolve this motion.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: May 26, 2021

/s/ Carline Simeon  
Debtor's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.